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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,315	01/28/2004	Raymond Hauser	36400.36US2	5478
25541	7590	11/08/2005	EXAMINER	
NEAL, GERBER, & EISENBERG SUITE 2200 2 NORTH LASALLE STREET CHICAGO, IL 60602			FREAY, CHARLES GRANT	
			ART UNIT	PAPER NUMBER
			3746	

DATE MAILED: 11/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiantelassa in view of Ohashi et al as set forth in the first office action.

As noted in the first office action Chiantelassa in view of Ohashi et al discloses the claimed invention. With regards to the material added by amendment Chiantelassa does not disclose that the end caps have first and second surfaces with a plurality of sides connecting the first and second surfaces. There being a charge pump mounted to the second surface. Ohashi et al does however disclose such an arrangement (note for example Figs. 7 and 8). At the time of the invention it would have been obvious to make the fluid passage portion of the Chiantelassa end caps into a separable end cap such as taught by Ohashi et al in order to provide a simply replaceable end cap which allows for easy repair and servicing of the device. Additionally it would have been obvious to provide the charge pump as taught by Ohashi et al in order provide to a higher pressure.

Allowable Subject Matter

Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed August 5, 2005 have been fully considered but they are not persuasive. The above rejection addresses the arguments made. Additionally, the following points are addressed. The applicant argued that the system ports be perpendicular to the input shaft is not disclosed or obvious from the references. The examiner notes that in Chiantelassa the system ports (30,31) are perpendicular to the input shaft (8'). Additionally after making the above substitution of an end cap such as taught by Ohashi et al the system ports would still be perpendicular to the input shaft. Additionally the applicant argues that the housing does not have an opening perpendicular to the first and second openings. The examiner disagrees. Fig. 1 clearly shows an opening thru which the shaft (8') extend from within the housing to the outside of the housing.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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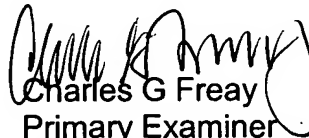
§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles G. Freay whose telephone number is 571-272-4827. The examiner can normally be reached on Monday through Friday 8:30 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Thorpe can be reached on 571-272-4444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Charles G Freay
Primary Examiner
Art Unit 3746

CGF
November 5, 2005